

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:18-cv-04940-TSH**

Miranda et al v. R&L Carriers Shared Services, LLC
Assigned to: Magistrate Judge Thomas S. Hixson
Cause: 05:704 Labor Litigation

Date Filed: 08/14/2018
Date Terminated: 11/28/2018
Jury Demand: Plaintiff
Nature of Suit: 790 Labor: Other
Jurisdiction: Diversity

Plaintiff

Hector Miranda
an individual

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Plaintiff

Rene Maya, Jr.
*an individual, on behalf of themselves and all
other similarly situated individuals*

represented by **Armand Raffi Kizirian**
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LEAD ATTORNEY
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Thomas Walker Falvey
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Michael Hagop Boyamian

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V.

Defendant**R&L Carriers Shared Services, LLC**
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Date Filed	#	Docket Text
08/14/2018	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400, receipt number 0971-12595303.). Filed by Hector Miranda, Rene Maya, Jr. (Attachments: # <u>1</u> Civil Cover Sheet)(Boyamian, Michael) (Filed on 8/14/2018) (Entered: 08/14/2018)
08/14/2018	<u>2</u>	Proposed Summons. (Kizirian, Armand) (Filed on 8/14/2018) (Entered: 08/14/2018)
08/15/2018	<u>3</u>	Case assigned to Magistrate Judge Maria-Elena James. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at

<http://cand.uscourts.gov/ecf/caseopening>.

Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 8/29/2018. (as, COURT STAFF) (Filed on 8/15/2018) (Entered: 08/15/2018)

08/15/2018	<u>I 4</u>	Initial Case Management Scheduling Order with ADR Deadlines: This case may fall within the Pilot Program for Initial Discovery Protocols for Employment Cases Alleging Adverse Action. See <u>General Order 71</u>. Parties and Counsel are directed to review General Order 71 to determine whether it applies to this case, and to comply with that General Order if applicable. Case Management Statement due by 11 /8/2018. Initial Case Management Conference set for 11/15/2018 10:00 AM. (hdjS, COURT STAFF) (Filed on 8/15/2018) (Entered: 08/16/2018)
08/16/2018	<u>I 5</u>	Summons Issued as to R&L Carriers Shared Services, LLC. (hdjS, COURT STAFF) (Filed on 8/16/2018) (Entered: 08/16/2018)
08/30/2018	<u>I 6</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Rene Maya, Jr, Hector Miranda.. (Kizirian, Armand) (Filed on 8/30/2018) (Entered: 08/30/2018)
08/30/2018	<u>I 7</u>	Certificate of Interested Entities by Rene Maya, Jr, Hector Miranda (Kizirian, Armand) (Filed on 8/30/2018) (Entered: 08/30/2018)
09/04/2018	<u>I 8</u>	ORDER REASSIGNING CASE. Case reassigned to Magistrate Judge Thomas S Hixson for all further proceedings. Judge Magistrate Judge Maria-Elena James no longer assigned to the case. (tnS, COURT STAFF) (Filed on 9/4/2018) (Entered: 09/04/2018)
10/12/2018	<u>I 9</u>	CERTIFICATE OF SERVICE by Rene Maya, Jr, Hector Miranda <i>SUMMONS AND COMPLAINT</i> (Boyamian, Michael) (Filed on 10/12/2018) (Entered: 10/12/2018)
11/01/2018	<u>I 10</u>	MOTION to Dismiss filed by R&L Carriers Shared Services, LLC. Motion Hearing set for 12/13/2018 10:00 AM in San Francisco, Courtroom A, 15th Floor before Magistrate Judge Thomas S. Hixson. Responses due by 11/15/2018. Replies due by 11/23/2018. (Attachments: # <u>1</u> Declaration of James A. Fishpaw in Support of Motion to Dismiss Pursuant to Fed. R. CIV. P. 12(B)(3), # <u>2</u> Declaration of Corky Wyrick in Support of Motion to Dismiss Pursuant to Fed. R. CIV. P. 12(B)(3), # <u>3</u> Proposed Judgment and Order Granting Defendant R&L Carriers Shared Services, LLC's Motion to Dismiss Complaint Pursuant to Fed. R. CIV. P. 12(B)(3))(Estrada, Diana) (Filed on 11/1/2018) (Entered: 11/01/2018)
11/01/2018	<u>I 11</u>	CLERK'S NOTICE Re: Consent or Declination: Defendant R&L Carriers Shared Services, LLC shall file a consent or declination to proceed before a magistrate judge by 11/15/2018. No chambers copy is required. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms. (Party/parties were also notified via telephone or email.) <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (cdnS, COURT STAFF) (Filed on 11/1/2018) (Entered: 11/01/2018)
11/01/2018	<u>I 12</u>	Certificate of Interested Entities by R&L Carriers Shared Services, LLC identifying Corporate Parent R&L Carrier, Inc. (Shareholder), Corporate Parent R&L Transfer, Inc. (Shareholder), Corporate Parent Gator Freightways, Inc. (Shareholder), Corporate Parent Greenwood Motor Lines, Inc. (Shareholder), Corporate Parent Paramount Transportation Systems, Inc. (Shareholder), Corporate Parent RLR Investments, LLC (Shareholder) for R&L Carriers Shared Services, LLC. re <u>10</u> MOTION to Dismiss (Estrada, Diana) (Filed on 11/1/2018) (Entered: 11/01/2018)

11/09/2018	<u>13</u>	ORDER by Magistrate Judge Thomas S. Hixson: The Initial Case Management Conference is CONTINUED to 12/13/2018 10:00 AM in Courtroom A. The parties' Joint Case Management Statement is due by 12/6/2018. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (cdnS, COURT STAFF) (Filed on 11/9/2018) (Entered: 11/09/2018)
11/13/2018	<u>14</u>	NOTICE of Appearance by David Stuart Eisen (Eisen, David) (Filed on 11/13/2018) (Entered: 11/13/2018)
11/13/2018	<u>15</u>	NOTICE of Appearance by Jennifer Ann Brody (Brody, Jennifer) (Filed on 11/13/2018) (Entered: 11/13/2018)
11/13/2018	<u>16</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by R&L Carriers Shared Services, LLC.. (Estrada, Diana) (Filed on 11/13/2018) (Entered: 11/13/2018)
11/15/2018	<u>17</u>	OPPOSITION/RESPONSE (re <u>10</u> MOTION to Dismiss) filed byRene Maya, Jr, Hector Miranda. (Kizirian, Armand) (Filed on 11/15/2018) (Entered: 11/15/2018)
11/21/2018	<u>18</u>	REPLY (re <u>10</u> MOTION to Dismiss) <i>Complaint Pursuant to Fed. R. Civ. P. 12(B)(3)</i> filed byR&L Carriers Shared Services, LLC. (Estrada, Diana) (Filed on 11/21/2018) (Entered: 11/21/2018)
11/27/2018	<u>19</u>	ADR Clerks Notice re: Non-Compliance with Court Order. The parties have failed to file an ADR Certification as required by the Initial Case Management Scheduling Order. Counsel shall comply promptly with the requirements of ADR L.R. 3-5(b) and shall file the ADR Certification. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (cmf, COURT STAFF) (Filed on 11/27/2018) (Entered: 11/27/2018)
11/28/2018	<u>20</u>	STIPULATION and Proposed Order selecting Mediation by R&L Carriers Shared Services, LLC filed by R&L Carriers Shared Services, LLC. (Brody, Jennifer) (Filed on 11/28/2018) (Entered: 11/28/2018)
11/28/2018	<u>21</u>	ORDER by Judge Thomas S. Hixson granting in part and denying in part <u>10</u> Motion to Dismiss or Transfer. The Court DENIES Defendant's Motion to Dismiss, but GRANTS Defendant's Motion to Transfer this case to the Central District of California. (cdnS, COURT STAFF) (Filed on 11/28/2018) (Entered: 11/28/2018)